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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 PORTER,

No. C -11-04886 EDL

9 Plaintiff,

ORDER TO SHOW CAUSE

10 v.

11 CITY OF SANTA ROSA, et al.,

12 Defendants.
13 _____/

14 Plaintiff brought this action pursuant to 42 U.S.C. § 1983, alleging that Defendant City of
15 Santa Rosa police officers Delzell, Fajardin and Litchfield violated Plaintiff's civil rights by
16 arresting him on March 25, 2011 without probable cause for allegedly violating a domestic violence
17 restraining order by obtaining his estranged wife's cell phone records. On July 2, 2012, the Court
18 granted in part and denied in part Defendant's motion for summary judgment, allowing at most
19 Plaintiffs' claim pursuant to Monell v. Department of Social Servs., 436 U.S. 658, 690-91, 98 S.Ct.
20 2018, 56 L.Ed.2d 611 (1978) to proceed, and ordered Plaintiff to inform the Court no later than July
21 16, 2012 whether he intended to pursue that claim. Plaintiff did not make that filing as required by
22 the Court's order.

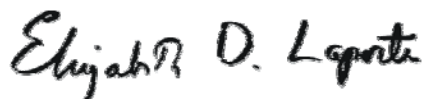
23 On September 10, 2012, the Court set a Case Management Conference for September 25,
24 2012. On September 11, 2012, Plaintiff's counsel filed a motion to withdraw, which was set for
25 hearing on October 16, 2012. On October 12, 2012, the Court granted the motion to withdraw and
26 continued the Case Management Conference to November 13, 2012. Plaintiff failed to appear at the
27 Case Management Conference, and has not otherwise communicated with the Court about his case.
28 Defendant duly appeared and stated that Plaintiff had not contacted Defendant either.

Accordingly, Plaintiff is hereby ordered to show cause why this case should not be dismissed

1 for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff's written
2 response to this Order to Show Cause shall be filed no later than December 3, 2012. A show cause
3 hearing is scheduled for December 11, 2012 at 9:00 a.m. in Courtroom E, 15th floor, 450 Golden
4 Gate Avenue, San Francisco, CA. It is further ordered that if Plaintiff fails to file a response to this
5 Order to Show Cause by December 3, 2012, the Court will dismiss this action with prejudice.

6 IT IS SO ORDERED.

7 Dated: November 14, 2012



ELIZABETH D. LAPORTE
United States Magistrate Judge